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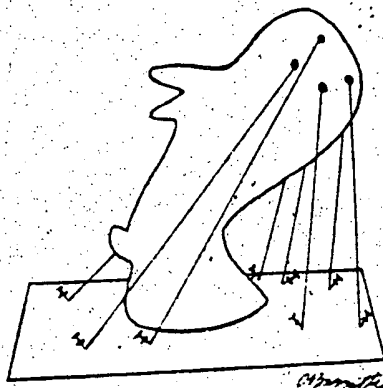
Letters to the Editor

Private Speech: To Curb the Snoopers

To the Editor:

Numerous episodes lately described in your pages—such as the reported opening of overseas mail by the C.I.A. from 1953 to 1973 (notably that of Representative Abzug) and the monitoring of Martin Luther King's telephone conversations—make it clear that the right of free speech must come to be applied to private as well as to public utterances. For we clearly need to be able to speak to one another confidentially without fear of official eavesdropping or snooping, something difficult to do when the Government legally can listen in on telephone calls, inspect banking transactions, "cover" first-class mail and monitor international messages. This pervasive surveillance can only have a chilling effect upon the private speech of citizens, most especially of those usually invaluable persons who are in fact mounting an effective criticism of governmental actions.

One might well wonder why the market has not already provided the service of delivering communications that are securely guaranteed against such invasion. The answer is simply that the Government will not permit it; a private venture of this sort that competed with the Government's own mail and the phone monopolies, though it involved acts only between consenting adults and was wholly without victims, would be put promptly out of business. It is almost



as though to send a message that was sealed against governmental intrusion is to commit an act of *lèse majesté*.

Yet the Constitution makes no distinction between public and private speech when it enjoins the Government from intimidating or otherwise restricting the free exchange of ideas. So there are ample legal grounds, it would seem, for civil libertarians to act to secure the right of citizens to communicate confidentially with each other. An essential step in this direction would be to permit open competition in private communications, thereby allowing organizations that are independent of the Government to offer such services.

WILLIAM R. HAVENDER
Berkeley, Calif., March 27, 1975

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